Fortenberry, Johanns won't support piracy bill; Terry pulls co-sponsorship

By JORDAN PASCALE / Lincoln Journal Star | Posted: Wednesday, January 18, 2012 1:15 pm

On a day when such popular Internet sites as Wikipedia went black in protest of the Stop Online Piracy Act and Protect IP Act, three members of Nebraska's congressional delegation also voiced opposition to the controversial bill.

The proposed legislation, introduced by a Texas representative, aims to prevent piracy and protect copyrights by allowing law enforcement to take down websites the Justice Department determines to be dedicated to copyright infringement.

Those who oppose the bill say it creates collateral damage, essentially, by changing the scope of the Internet.

Nebraska Republican Rep. Jeff Fortenberry and Sen. Mike Johanns told the Journal Star on Wednesday they won't support the bill.

Rep. Lee Terry, R-Neb., who initially co-sponsored the bill, said Tuesday he was removing his sponsorship. Two other sponsors also withdrew support.

The White House also opposes the bill.

Sen. Ben Nelson, D-Neb., and Rep. Adrian Smith, R-Neb., both expressed the need to curb piracy, but they didn't take a stance on the legislation.

Terry initially co-sponsored the bill because of the effect online piracy has on the economy, he said, but he pulled support after hearing lots of negative comments.

He decided SOPA, as drafted, isn't the solution, according to spokesman Charles Isom.

Fortenberry said he understood the need to protect intellectual property but didn't think government should be given new authority that risks violating civil liberties.

"I believe SOPA would disrupt the structural integrity of the Internet, a core component of our telecommunications infrastructure," he said in a statement.

Smith said intellectual property rights should be defended from criminals.

"The frustration felt by American businesses being undermined by online piracy is understandable and warranted, but we must find a solution which promotes a vibrant, open Internet to allow for continued innovation and the exchange of information," Smith said.

Texas Rep. Lamar Smith introduced the bill in October to keep third-party websites from stealing original content and reaping the profits, which he says costs the economy $100 billion annually.

The Justice Department or the copyright owner would be able to take legal action against any site they deemed to have "only limited purpose or use other than infringement," and the department could demand search engines, social networking sites and domain name services block access to the targeted site.

It also would make unauthorized web streaming of copyrighted content, such as movies or music, a felony with a possible penalty of as many as five years in prison.

As senators ready themselves for the final vote, some websites say the bill's effects could change the scope of the Internet by forcing sites to adhere to copyright laws they consider unreasonable.

Wikipedia, Reddit, WordPress and Minecraft were among those that blacked out their sites for 24 hours Wednesday in protest of the bill.

"SOPA and PIPA are badly drafted legislation that won't be effective at their stated goal (to stop copyright infringement), and will cause serious damage to the free and open Internet," Wikipedia's page states. "They put the burden on website owners to police user-contributed material and call for the unnecessary blocking of entire sites."

Yet according to a statement by Texas Rep. Smith, such laws are necessary.

"There is a vast virtual market online run by criminals who steal products and profits that rightly belong to American innovators," Smith said on his website.

Wednesday's action by major websites was likely the largest online strike in digital history, according Fight For the Future founder Tiffiniy Cheng, who said the bill threatened the existence of the Internet as an open, deregulated network of websites dedicated solely to the people.

Andy Pollock, a Lincoln copyright and trademark lawyer with Remboldt Ludtke, said lawmakers needed to find a balance between content creators who want to protect their work and the ability of people to access it.

"Every time a new technology comes around, you have to wrestle with these same balancing issues," he said, "but the Internet is one of the most complicated media we have had to deal with as it develops."

Pollock said the website blackouts did a lot to spread the word about the bills.

"It's a clear demonstration of the power of the Internet," he said. "Sites like Wikipedia and Google are doing a great job of raising awareness. Until word got out about their efforts, I hadn't heard any street talk about it.

"There's been more focus on this than any other copyright issue I can remember. It's jaw-dropping."